

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CHERISH NIEDZIELSKI, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

NEIL COUCH,

Respondent-Appellant,

and

SHANNON NIEDZIELSKI

Respondent.

UNPUBLISHED

April 14, 2000

No. 216339

Mecosta Circuit Court

Family Division

LC No. 97-003159-NA

Before: Gribbs, P.J., and Doctoroff and T. L. Ludington*, JJ.

MEMORANDUM.

Respondent-appellant (“respondent”) appeals as of right from an order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (c)(ii); MSA 27.3178(598.19b)(c)(i) and (c)(ii). We affirm. This case is being decided without oral argument pursuant to MCR 2.714(E).

The family court did not clearly err in finding that § 19b(3)(c)(i) was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Because only one statutory ground is required in order to terminate parental rights, *In re Hamlet (After Remand)*, 225 Mich App 505, 522; 571 NW2d 750 (1997), we need not decide whether termination was also warranted under § 19b(3)(c)(ii). Moreover, respondent failed to show that termination of his parental rights was clearly not in the child’s best interests. MCL 712A.19b(5); MSA

* Circuit judge, sitting on the Court of Appeals by assignment.

27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the family court did not err in terminating respondent's parental rights to the child. *Id.*

Affirmed.

/s/ Roman S. Gibbs

/s/ Martin M. Doctoroff

/s/ Thomas L. Ludington